

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

Recommended actions needed to improve conditions in and performance of A5 and A6 programs

Applicable Statute or Regulation:

KRS 158:645; KRS 158.6455; 703 KAR 5:050; 703 KAR 5:070

History/Background:

Existing Policy. Alternative education programs have been in existence in Kentucky schools for many years. Beginning in 2000, however, there was a new source of funding to school districts through the Kentucky Center for School Safety (KCSS), which resulted in rapid growth in the numbers of alternative education programs in Kentucky's public schools. KCSS provides funds to all public school districts to help establish and maintain safe and healthy learning environments. Since 2000, approximately 80% of KCSS funds distributed to local school districts have been used to create alternative education programs. Currently, KCSS funds support alternative education programs in 136 school districts. These alternative programs are known as A5 programs, which are defined as "a district-operated and district-controlled facility...designed to provide services to at-risk populations with unique needs." Additional A5 alternative education programs exist in the remaining 40 school districts supported with general education funds. Local districts maintain complete management and operational control over these programs and are accountable for the staffing, the instructional services, and the outcomes for students.

In addition to A5 programs, Kentucky has A6 programs that are defined as "a district-operated instructional program in a nondistrict-operated institution or school." These programs serve youth who are State Agency Children (SAC). These young people are the responsibility of the Department of Juvenile Justice (DJJ), the Department of Community Based Services (DBCS), and the Department for Mental Health and Mental Retardation Services (DMHMR). These departments operate, fund or contract for services from a variety of programs including residential facilities, group homes and day treatment centers. The education of these youth is the responsibility of local education agencies where they reside, that is the local education agency in whose attendance boundaries the facility to which the student has been assigned is located. This is sometimes, but not always, the student's home district. The Kentucky Educational Collaborative for State Agency Children (KECSAC) provides supplemental funds to these school districts to provide an extended educational school year, and a lower teacher-to-student ratio to facilitate the educational needs for these at-risk youth. KECSAC currently has 114 programs operating in 56 school districts. KECSAC conducts monitoring of its programs with each program receiving a minimum of one visit per year. Local school districts provide the educational services for A6 programs and are responsible for staffing decisions, the students' schedules and the delivery of instructional

services. State level accountability depends on the number of days students are enrolled in the local school district. Because of the mobility of students in A6 programs, student accountability scores can be attributed to A1 schools, school districts, or state accountability.

With the rapid growth of alternative education programs, both the department and the Kentucky Board of Education (KBE) have realized the need for increased attention regarding oversight of these programs. In 2002, the Kentucky Board of Education reviewed accountability issues regarding A3, A5 and A6 schools (in 2002, they were still referred to as schools). As a result of this KBE meeting, decisions were made regarding placement and responsibility of student accountability. At the February 2004 KBE meeting, the regulation on alternative education services was edited to replace the word “school” with “program” when referring to educational services offered in facilities other than A1 schools. Thereafter, these educational services were considered programs associated with A1 schools rather than schools in themselves.

During the February 2004 KBE meeting, questions were raised about the quality of educational services received by students in alternative education programs. As a result, 703 KAR 5:040 (2) was amended to include a process whereby information would be regularly presented to the KBE on the quality of services provided in A5 and A6 settings (see next paragraph below). KECSAC provides an annual report to the KBE on the quality of their programs including a review of academic performance of the students served in these A6 programs. The A5 programs, unlike the A6, have no monitoring system or oversight to ensure equitable educational services are provided.

703 KAR 5:040 (2) states “The Commissioner of Education shall appoint a committee of persons consisting of staff of the Kentucky Department of Education, local school districts in which A3, A5, and A6 programs are located, and other state agencies affecting the delivery of services in A3, A5, and A6 programs for purposes of reviewing the performance of these programs in the aggregate and, if appropriate, with disaggregations of the data. Based on this review, this committee shall report to the commissioner and the Kentucky Board of Education within four (4) months of the annual public release of state assessment and accountability data. This report shall include findings on:

- Quality of educational and other services,
- Adequacy of academic performance growth,
- Nonacademic growth,
- Changes in population served by these programs, and
- Recommended actions needed to improve conditions in and performance of these programs.”

The Kentucky Department of Education (KDE) convened a group of educators on June 20, 2005 for the purpose of discussing how to meet the requirements of 703 KAR 5:040, and how A5 and A6 programs might be reviewed or monitored through a KDE or collaborative process. As a result of the committee meeting, the following issues emerged relative to a monitoring process of A5 and A6 programs.

Alternative education programs should:

- Support the student's pursuit of a high school diploma, including opportunities for credit recovery and access to curriculum that meets high school graduation requirements
- Provide a quality education to students preparing them for successful life experiences
- Be attractive environments where students can learn
- Have high quality teachers capable of delivering high-quality curriculum, instruction, and assessment
- Offer multiple learning opportunities (i.e., performance-based credit, project-based learning, etc.)
- Prepare students for successful transition back to their schools of origin and/or to a next level of learning
- Provide student support services (i.e., school counselors, school social workers, teacher aides, etc.)
- Have appropriate professional development for the unique needs of teachers and other staff
- Have a monitoring system based on the Standards and Indicators for School Improvement (SISI), but modified for use in A5 and A6 programs
- Use measures that consider student progress over time and relative gains
- Have a monitoring process utilizing practitioners (persons familiar with alternative education programs)
- Have a monitoring process with the goal of providing program support and positive feedback in order to better serve students
- Routinely exchange data with the accountable school district regarding student placement, student academic performance, and student progress towards the goals outlined in the Individual Graduation Plan
- Collaborate with the local school system to build connections for the student to employment, training and postsecondary education

On November 15, 2005 members of this group reconvened to review and modify the evaluation tool used in past years by the Kentucky Center for School Safety to assess the quality of services provided in the alternative education programs funded through KCSS. Committee members agreed on modifications in this instrument to be used in future monitoring of A5 programs. The revised monitoring instrument is included as Attachment A.

Staff Recommendation(s) and Rationale(s):

1. Utilizing Title IV funds (Safe and Drug Free Schools), the department recommends contracting with the Kentucky Center for School Safety to monitor 40 alternative education programs (A5) beginning in January 2006. The 40 programs to be monitored will be completed prior to the assessment window in April 2006. Each site will receive a monitoring visit report and recommendations, and a summary of these findings and recommendations will be available to the Board in June. The KCSS monitoring visits will provide a snapshot of data and information from the 40 A5 sites that will present a much more complete picture of the range of alternative program models, the criteria used to place students in these programs, the quality of

educational services, the population being served by these programs, identification of more successful programs and practices based on student outcomes, and the challenges or barriers identified by administrators, teachers and students in these programs. As part of this process, the KCSS will consider establishing criteria and a graduated intervention strategy under which funds may be suspended or withheld from districts if programs are found seriously deficient and the local district does not take appropriate action.

2. As the monitoring tool is refined and used in the 40 sites, the committee established by 703 KAR 5:040 (2) will design professional development and technical assistance to support its use as a self-evaluation tool in any district beginning in the 2006-07 school year.
3. The KCSS monitoring visits alone will not provide sufficient data and information to fulfill all of the requirements of 703 KAR 5:040 (2), especially in regards to “recommended actions needed to improve conditions in and performance of these programs” over the long term. While the proposed monitoring process will provide some insight into local policy mechanisms that should be put into place for the improvement of specific local A5 programs, this process will not be sufficient to the larger issue of improving outcomes for students in all A5 and A6 programs through state level policy that addresses the range of alternative placements. Therefore, a more comprehensive review of A5 and A6 programs and policies and a substantive analysis of successful alternative education pathways in other states are being initiated in parallel. Preliminary findings will be delivered in June. The final report is to be delivered in August 2006 with recommendations and an estimate of the cost implications.
4. As work is underway on 1, 2 and 3 above, the Department will work with KECSAC to ensure that the standards, expectations, monitoring and program improvements in sites under their control are in alignment with those established for A5 programs and alternative education placements generally. As a first step, the monitoring tool developed for A5 programs will be piloted in KECSAC sites.

Groups Consulted:

The following groups and organizations have served on the committee providing advice and input on alternative education issues.

- Kentucky Center for School Safety
- Department of Juvenile Justice
- Department for Mental Health and Mental Retardation Services
- Martin Luther King Jr. Academy, Fayette County Schools
- Buckner Alternative High School, Oldham County Schools
- Kentucky Educational Collaborative for State Agency Children
- Providence School, Jessamine County Schools
- Big East Special Education Cooperative
- Central Kentucky Educational cooperative

- Green River Regional Educational Cooperative
- Exceptional Child Education Services, Jefferson County Schools
- Kentucky Educational Development Corporation
- Kentucky Valley Educational Cooperative
- Northern Kentucky Cooperative for Educational Services
- Southeast/South Central Educational Cooperative
- Upper Cumberland Special Education Cooperative
- Ohio Valley Educational Cooperative
- River Region Cooperative
- West Kentucky Educational Cooperative
- Owensboro Technical College
- Kentucky Youth Advocates
- Alternative Education Services, Jefferson County Schools
- School Wide Accountability Services
- Kentucky School Boards Association
- Lighthouse Academy, Warren County Schools
- Newport Learning Academy, Newport Independent Schools

The groups are supportive of the proposal.

Impact on Getting to Proficiency:

Increasing numbers of Kentucky students are receiving educational services in alternative education programs. As these numbers of students grow, the quality of education services they receive in these programs becomes increasingly important in regard to reaching proficiency. It is imperative that a process be implemented to ensure these students are receiving equitable educational services.

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Commissioner of Education

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